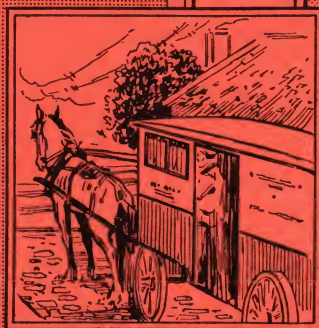
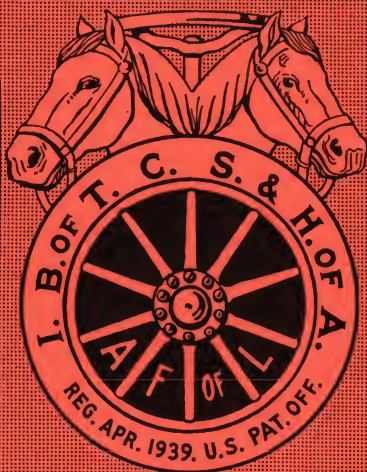


JUNE, 1940

Official Magazine
**INTERNATIONAL BROTHERHOOD
TEAMSTERS - CHAUFFEURS
STABLEMEN & HELPERS
of AMERICA**



SENATOR ROBERT WAGNER requested special permission of the United States Senate, in session assembled, to have printed in the Official Congressional Record the address of Daniel J. Tobin, General President of the International Brotherhood of Teamsters and Chauffeurs, delivered on Monday evening, May 13, over the Blue Network of the National Broadcasting Company. Request unanimously granted. So, as a result, the address of your President becomes a printed government historical record.—J. M. G.

THERE are all kinds of advertising solicitors—in some instances using the name of the International Brotherhood—trying to get advertising in different kinds of publications from our employers and from the public. To our readers we appeal, that you inform all your employers and business institutions that the International Brotherhood of Teamsters solicits no advertising, nor does it approve or give its consent to any publication to solicit advertising in its name. It has not done so for thirty years. Therefore, advise the public, the business interests, and employers that people soliciting advertising in our name are misrepresenting us, and the local business men's association or the police authorities should be notified.

BE ON your guard about disturbers within your union. Pay strict attention to the evidence brought out by the Dies Committee regarding serious disturbers, enemies of our union and our country, holding membership in certain labor unions. Testimony was obtained that the CIO was pretty much saturated with them, in certain unions. Be on your guard against them. Watch the fellow who is always finding fault.

SOME inquiries have come to our office about the case of the Federal Government against certain individuals and members of Local 807 in New York City. The question usually asked is, "What about this case? Some of the members seem to think the International Union is mixed up in it."

For their information and without any intent to offer an opinion on the case, we desire to say that the International Union is not named and is not a party to the case. The case is some two or three years old. It was first started when the Honorable Homer Cummings was Attorney-General. The proceedings were in charge of Assistant Federal District Attorney Amen in the New York district. It seems that the charges arose over the fact that certain officers or members of Local 807 were stopping trucks from out of town from coming down into New York City, and were demanding that that work belonged to them; that the members of Local 807 should be given the work of hauling from a certain part of the City of New York downtown and bringing back the truck, loaded or unloaded. The case has been under discussion for two or three years, but because the case is now before the courts the Editor has refrained from saying anything regarding it. But in answer to inquiries we have received we desire to say that the International Union and its officers are not named and are not parties to the case. It is purely a case, as stated above, against some of the officers and members of Local 807.

● OFFICIAL MAGAZINE ●

INTERNATIONAL BROTHERHOOD of TEAMSTERS, CHAUFFEURS STABLEMEN AND HELPERS

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Labor Bulwark Against Violent Change

Democracy has nothing to fear so long as it is defended by a strong, independent Labor Movement. It is a bulwark against extreme and violent social changes.

A speaker at a gathering of New York Presbyterian ministers pointed out recently that the first act of European dictators after they had grabbed power was to smash the unions. "There has never been a violent revolution of 'the left' in a country where the rights of labor are respected," he declared.

While labor remains on guard, there will be freedom of speech, press and assemblage. Churches will not be persecuted and men will continue to worship God according to the dictates of their consciences.—*Labor*.

Concerning Correspondence

We have repeatedly stated in the columns of this Journal that the General President will not answer individual letters. To do so would be in violation of the rules governing his office. In addition, we desire to say that it would be an utter impossibility. Individual letters or complaints by individual members against local unions are referred to one of the assistants in the office and they never reach the attention of the General President.



EDITORIAL



(By DANIEL J. TOBIN)

Co-operation Between Labor, Industry and Government

*Address by DANIEL J. TOBIN, delivered over Blue Network, National
Broadcasting Company, from Washington, D. C.,
9:30 to 9:45 P. M., May 13, 1940*

THE world is now in a serious condition, much more serious than the average individual understands, and much more serious than those who do understand desire to admit. Spreading gloom and discouraging pictures will not help us at this time, but it would be foolish for us as a people to refuse to see and understand actual conditions.

Outside of the United States and some South American countries the rest of the civilized world is in a condition bordering on anarchy. Certainly the civilization of Europe is in great danger of destruction. Because of this condition it is necessary for labor, business, and government to endeavor to work together as closely as possible, so that by each other's counsel we may continue to maintain a free government and uphold what there is left of our modern civilization which guarantees freedom of speech, freedom of assembly, and freedom of religion.

If the statements made by our best analysts, that the European and Asiatic struggle will last two or three years, are to be relied upon, it is dreadful and certainly depressing to realize what will happen even to some of the countries that remain out of war. If England is spending twenty-six million dollars a day we can safely say that all the countries involved are spending, as a whole, close to one hundred million dollars a day. The question that confronts us is: How long can this condition last? The resources of the whole world—certainly of the countries involved in the war—cannot finance this continued destruction of life and property obtaining from these enormous expenditures; and at the ending of the war where is the economic condition of the world going to be? There is no freedom for labor or business now in any of those countries involved in this struggle. In England, where labor unions are still allowed to function, restrictions are being inaugurated week after week, with the certainty that if the war does continue for two years more, all the safeguards of British labor that have been established over half a century may have to be discontinued and set aside by the British Government in order to carry on. The labor conditions in France, Holland, and the Scandinavian countries are at the present time almost entirely eliminated; not because the governments of those countries desired such action but because they were compelled to put such conditions into effect. The rationing of the inhabitants of those countries has been substantially cut down, restricted, and from week to week other restrictions will be imposed. Corporations doing business in those countries have very little to say as to profits. Governments in both France and England have imposed enormous taxes, so much so that all classes of business and enterprise are now working for the government, or to save their form of civilization, and profits are practically set aside. It is difficult therefore for me to understand the continued

groaning of business interests in our country as a result of taxation. The worker in England receiving \$3,000 a year pays about \$650 in taxes direct. The married worker in this country receiving \$3,000 a year pays practically nothing, especially if he has one child. In France taxation is much higher. Besides this there are several other forms of taxes. Certain corporations in England are now paying in some cases seventy per cent of their total net income in taxation. In other words, for every one hundred dollars they earn in net profits, seventy dollars goes for taxation. The normal tax is 37½ per cent. And still we hear business continually bewailing its fate in this country as a result of taxation, where on net profits the taxation is between seventeen and eighteen per cent.

Labor enjoys more freedom today in the United States than ever before in its whole history, and, as stated before, enjoys much more liberty than labor in any country in the world. Recently every decision on every question involving the rights or freedom of labor by the highest tribunal in our country, the Supreme Court of the United States, has been in favor of labor, where some years ago every decision was against labor, because most of the membership of the Court was composed of men who before appointment were the paid legal representatives of labor-hating corporations.

Still, recently a national labor official delivered an address over these stations and from one end of it to the other he did nothing but denounce the government for the conditions under which labor was suffering, and strongly censured capital and business for not carrying on greater agitation to the end that government interference or regulation would be prevented. Governmental bureaucracies, in accordance with the expression of this gentleman, are the cause of all our suffering. The claim is also very often made that there are ten million individuals, able and willing to work, who are unemployed. The purpose was to blame the condition on government regulations of recent years. As a matter of fact, no one knows accurately the number of people unemployed. Personally, I question those figures, because there is no direct method of obtaining an accurate count of the unemployed. Yes, I fully understand that statistical bureaus have been set up and Departments of Economics have made all kinds of statements; and I answer that a great many of the statements are based on mathematical guesswork, and that until the full returns of the United States census recently taken are obtained by the government, there is no certainty as to the number of unemployed. The one thing that has been stated, I think correctly, coming out of Governmental Departments in Washington, is that there are more people employed now in our country than there were before the financial break of October, 1929. That year was somewhat of a boom year. There is no question but what there is considerable unemployment, but since 1929 we have had perhaps ten million persons in the United States that have come of working age that we have not been able to entirely absorb in our employments. The large organization which I have the honor to represent, the International Brotherhood of Teamsters and Chauffeurs, is a fair barometer of industry and business. We have very close to 500,000 paid-up members, and 150,000 of those are running between the states hauling merchandise of every description, and at the present time we have less than one-third the number of individuals out of work that were out of work some three or four years ago. When the trucks of the nation are hauling goods it is fair to assume that the wheels of industry are moving. But suppose we have six or seven million

persons out of work. That is a condition that unless we relieve it, may become worse. We will have more as time goes on unless we try to step up industry, instead of continually harping and arguing and finding fault with each other. Labor, capital, and government should put their heads together and try to create some means, or lay some plans, to remedy this situation. If unemployment could be somewhat minimized every year for the next five years, we might then be able to overcome this serious situation. It is my judgment that there will always be a chronic condition of unemployment which will perhaps embrace three or four million persons, because we have reached the condition in our country where only those that are most fitted for employment will be continually retained. In other words, because we pay the highest wages of any country in the world, generally speaking, and our workers enjoy the best working conditions when employed, industry and employers demand the best, the top notch workers, in their employment. We must also remember that each year as time goes on we will continue to have coming to working age the same number, not less than 750,000; and the human brain cannot be crushed or its inventive, creative powers destroyed, so that new machinery will continue as in the past to displace human hands. Consequently, in order to relieve this dangerous condition, not less than 1,250,000 new jobs must be provided each year. It should never be forgotten that hungry men create revolutions and then all classes are destroyed. There should be no hunger, no want, in a country overflowing with plenty. The problem is for us to find a way out. I feel certain it can be done by the great minds of America within capital, labor, and government. I realize full well, because I am meeting the situation every day, how difficult and how dangerous a continued unemployment condition can be to our country; but I want to emphasize the fact that unemployment is not nearly as bad as it was a few years ago, and that wages have not gone backward in ninety per cent of the trades and industries of the nation; also that conditions for both capital and labor are better than they were and much better than obtain in any country in the civilized world.

Criticism was directed by this labor speaker against employers, industry, big business, for failure to protect themselves in Washington against governmental regulations, etc., etc. I am quite closely in touch with what is going on in Washington and have been for the past thirty years, and there never was a time in which capital and industry had stronger forces fighting against everything which would attempt to regulate them, than they have in recent years. The trouble is this, as I see it: that anything the government suggests towards regulation of business is bitterly opposed. Surely our governmental representatives in the House and in the Senate are fully aware that business cannot be destroyed or else the country and its population will perish. Every so called injustice that the employers say has been heaped upon them by government has taken place as a result of the abuses by business in the past or in the days before regulation. The National Labor Relations Law would never have been enacted had it not been for the fact that employers, generally large employers, prevented workers from organizing. In other words, the employers are responsible for the National Labor Relations Law. The Wage and Hour Law, which all unprejudiced persons in our country admit is not unreasonable—thirty or thirty-five cents an hour for a worker—why, even that was fought by the employers and their associations step by step. And now industry and employers are endeavoring to so amend

the law as to make it practically useless. The result will be that labor, agitating on the other side and with the power of the ballot to elect its friends, will perhaps eventually insist on amendments upward instead of downward.

Intelligent labor officials fully understand that capital must have an honest return on its investment; that capital must make a profit in order to have labor better its conditions. Intelligent labor officials also fully understand that the government cannot allow business to run wild without regulation, because we all see today that the demoralization in certain industries, especially in the railroad industry, has been due to the fact that for many years the management of those roads were allowed to do as they pleased with the finances and other resources of the roads. Intelligent labor officials, as I understand them, also believe that government should not paralyze business by unnecessary, unwarranted regulation or by enormous taxation which would make it impossible to find business interests willing to risk their finances.

The time to prepare for the awful demoralization in the world of labor and manufacturing which will obtain at the end of the present life and death struggle going on in Europe and Asia, is now. As a result of impoverishment, through the enormous expenditures of governments in other countries, manufactured goods will be dumped on the markets of the world for almost anything that can be obtained. American manufacturers and American labor will be seriously affected. If the war lasts two years workers in other countries will be compelled to work for just enough to keep body and soul together, to keep them alive. Therefore, it is my judgment that before that time arrives machinery should be set up establishing a program that will protect our labor and our manufacturing interests in our country against the onslaughts that will be made on our commerce by almost all the other nations of the world. We cannot reach this condition, establish this machinery, or bring about the necessary program without unity of action and without proceeding now to lay the foundation for a better understanding between capital, labor, and government. After all, with all the grumbling going on from business and labor and from dissatisfied political aspirants, we cannot deny the fact that we are living in a country where freedom and tolerance obtain and where justice is meted out by a jury of one's own peers, and where there is no starvation and cruel suffering such as the people of other countries are now undergoing. We are a self-producing, self-supporting nation, having almost 70 per cent of the gold of the world under our control, enjoying over-bounteous crops, not crushed with dictators, and with a free government.

Without ever hoping to have complete understanding between capital, labor, and government, it is my judgment that we can substantially help each other, thereby helping the country as a whole, by working together, endeavoring to reach a better understanding. And it is my judgment that the first step to this end—or at least beginning to bring about this end—should be taken now, immediately, by the creation of a national board consisting of not more than three persons from each division, representing labor, capital, and government, to the end that some program would be considered; first, for the purpose of laying plans to relieve the unemployment conditions now obtaining; and second, for the purpose or mapping

out a program to protect the business and industry of our nation from demoralization by cut-throat competitors after the ending of the present European and Asiatic wars.

THE International Brotherhood of Teamsters won its first battle for re-establishing the freedom of Labor in a case in Washington, D. C., where our local union and our International Organizer were indicted by a Federal Grand Jury for violation of the Sherman Anti-Trust Law as part of the campaign now carried on by Thurman Arnold of the Attorney-General's office.

This case originated over a desire on the part of our local union in Washington, D. C., to have union shop conditions prevail in the hauling of building material. Therefore when our wage contract expired our local union inserted a clause in its contract with the several contractors doing business in the District of Columbia that we would not haul material on any job unless all drivers hauling material of any description to these jobs were members of our organization. To be more specific, there were some ready-mixed concrete trucks that were being driven by members of the Engineers' Union. In the presentation of our wage contracts to the contractors we did not mention any particular union. All we said was that all drivers, chauffeurs and helpers hauling material to any job should be members of the International Brotherhood of Teamsters. There was a jurisdictional dispute some two years ago between the International Brotherhood of Teamsters and the International Union of Operating Engineers over the drivers of ready-mixed concrete trucks. The National Arbiter at that time for the National Building Trades Department, after hearing the case in Chicago on this dispute, with both sides represented, rendered a decision in favor of the International Brotherhood of Teamsters. The Executive Council of the American Federation of Labor rendered a decision on this work, giving it to the International Brotherhood of Teamsters. The drivers of these trucks in every district throughout the country were, with the exception of a small number in Washington and Baltimore, members of the International Brotherhood of Teamsters. In those two cities there were some of the drivers of these ready-mixed concrete trucks that were members of the Engineers' Union, so that jobs where these engineer drivers were working were tied up, or, in other words, our members refused to haul material to the jobs because all material was not hauled by our members. All work done in the District of Columbia comes under Federal jurisdiction and is considered interstate. All judges in the District of Columbia are Federal judges and are directly under the supervision of the government.

Mr. Arnold, of the anti-trust division of the Department of Justice, charged our organization with being engaged in a conspiracy in violation of the Sherman Anti-Trust Law because he claimed the question of wages and hours was not involved. This was the first indictment obtained against a labor union on those grounds. Afterwards indictments were obtained against several other international and local unions affiliated with the American Federation of Labor. If there are any organizations in the CIO that have been indicted or charged with conspiracy by Mr. Arnold, we do not know of it. At any rate this unfortunate situation could have been prevented if the decisions respecting our jurisdiction had been observed. We carried on for a period of nine months after the decision

had been rendered awarding us this jurisdiction, or defining and repeating our jurisdiction over drivers and chauffeurs on trucks hauling ready-mixed concrete, and we waited until our wage contract expired in the District of Columbia, and then in addition to asking for several other changes in working conditions, we also stated that our members would not be required, or it would not be considered a violation of the contract if we refused to work where there were other drivers hauling to the jobs who were not members of the International Brotherhood of Teamsters. Bear in mind that we did not mention any organization. A great many of the contractors hauling ready-mixed concrete had signed up with us, but there were some who had not, causing the stoppage of work, and who claimed they had already signed an agreement with the Engineers' Union some forty or sixty days prior to our wage contract expiring and several months after the award had been made by Dr. Lapp, at that time the chosen National Arbiter of the National Building Trades Department. However, as stated above, we were indicted and considerable publicity was given to that indictment, and then followed numerous other indictments along similar lines, not quite so clear as our case, against several International Unions. The International Union was represented by Joseph A. Padway, who presented a demurrer motion to Justice Gordon of the Federal Court of the District of Columbia. Justice Gordon overruled the motion to demur and made quite a lengthy statement in explaining his reasons for overruling the motion. Many persons reading the decision of Justice Gordon on the motion to demur were somewhat skeptical of the outcome. The International Union had it indirectly suggested to them if they would participate in a consent decree the whole matter could be settled or adjusted. Now then, a consent decree in substance means an admission that you were guilty and that you would not do the same thing again, etc. Of course we would not listen to any such suggestion, because we wanted to know whether or not the law as it now reads would be interpreted to mean exactly what the Sherman Anti-Trust Law was never intended to mean. Our answer was that if the lower courts decided against us we would take the case to the United States Supreme Court, and if the decision against us was confirmed—which we believed it would not be—we would then proceed again to attempt to clarify the Sherman Anti-Trust Law, the Clayton Act, and all the other acts which Labor has been instrumental in placing on the statute books of the United States, to the end that Labor Unions would be able to function without being hamstrung by laws that were intended to prosecute or regulate only corporations of wealth, those business combinations that fix prices to mulct the public.

At any rate, the case went to trial before Justice F. Dickinson Letts, and the government took over two weeks in presenting their side of the case. Our lawyers made a motion to dismiss the case on the grounds that the government had proved nothing. The government's attorneys objected to the motion and spent two hours in lining up their objections. Shortly after they got through Justice Letts, after hearing the Department of Justice present its case against the officers of the Teamsters' Union, directed the jury to return a verdict of not guilty. Justice Letts stated that his decision was based on the failure of the government to establish any criminal intent on the part of the officers of the union to violate the anti-trust laws, which prohibit unlawful combinations or conspiracies in restraint of trade. In other words, Justice Letts clearly told the government they had nothing to back them up in their claims that Labor was

entering into a conspiracy when a trade union refused to haul on the job where hauling was done by men who were not members of their union.

This decision should have a substantial effect on other cases of a similar nature pending against international and local unions. It is true, however, that the case of the International Brotherhood of Teamsters is perhaps a little more clear and direct and definite than some of the other cases, although it is our opinion at this writing that the position of Thurman Arnold, representing the Anti-Trust Division of the Department of Justice, will not be upheld. Judge Letts did not, however, clearly state whether Labor could or could not be prosecuted under the Sherman Anti-Trust Act. Perhaps he did not feel called upon to do so. What he did say was that the Government did not prove there was any willful intent on the part of the defendants to violate the law; that it was reasonable for the defendants to believe they were within their rights in acting as they did in view of the fact that all decisions gave this work to them, etc. Might we not suggest here that on such reasoning the Brewery Workers are in a bad mess, as all decisions in that case by the American Federation of Labor have given brewery drivers and helpers to the International Brotherhood of Teamsters.

I have just had word from our office in Washington that we have been notified through the Trust Division of the Department of Justice that the Government has withdrawn its appeal in our case in Washington. A few days after the decision was rendered in our favor by Federal Judge Letts, in which case he did not even ask us to put in any defense, the Government, through Mr. Arnold, decided to appeal the decision to the Federal Court of Appeals of the District of Columbia. Immediately our lawyers prepared a motion to quash; or in other words, to reject the appeal of the Government on the grounds that the Government had no case. We were asked to withhold this motion of ours and we did withhold it for two or three days, and then the writer instructed our attorney, Mr. Joseph A. Padway, to enter our motion. The motion was duly entered. On this motion of course there would have been a hearing. However, the Government giving further consideration to the decision in the case, decided today, May 24, 1940, to withdraw its appeal. Therefore the decision stands, and this ends the case. In substance the judge did not directly refer to the question of jurisdiction in his decision, but all through the case the Government argued that it was illegal to strike to maintain the jurisdiction of an International Union, which contention by the Government was overruled by Federal Judge Letts.

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YOU perhaps have read in the daily papers during the first days of May about the Milk Drivers' strike in Chicago. The papers told the public as little about the merits or cause of the strike as they possibly could. The real cause of the strike was that the Milk Drivers' Union desired a renewal of the contract under which they had been working in recent years. There were only a few slight changes requested and they had to do with working conditions. No increase in wages was asked and no change in the hours. The employers refused positively to consider a renewal of the old agreement and in return offered a proposition which embodied a reduction in wages, which ran from ten to eighteen dollars per week. The proposition submitted by the employers was absolutely impossible. In fact, were it not for the fact that we know the employers, we would say their proposition was ridiculous and insincere. In these days when organizations are not going backward but onward, when the cost of living is not coming down but has a tendency to go up, and when men have fought for years to build up the conditions under which they are working, they are not going backward by signing a wage contract which would mean a reduction of eighteen dollars per week. It is true that the milk wagon drivers and the

dairy employees in Chicago are receiving good wages and have good working conditions, but it took them close to forty years of organizing and of battling with their employers to bring their conditions up to where they are now. If they accepted the conditions offered by the employers they would be back to where they were almost twenty years ago. I have been closely in touch with the affairs of the Milk Wagon Drivers' Union since I became General President thirty-three years ago. I participated for many years in their wage contracts in the early days. In all of those thirty-three years there has been only one stoppage of work, which lasted three days, about fifteen years ago, and the International Union interpreted the cause of the stoppage of work at that time as a lockout by the employers. To go along thirty-three years with only a stoppage of work lasting three days is a pretty good record for any body of organized workers.

In addition to the almost unreasonable proposition submitted by the employers in this last controversy, they, the employers, withdrew from the conferences in the end and delegated all powers of conference and negotiations to a hired lawyer. Well, with all due respect to the legal fraternity, who are necessary for legal advice and to represent us in courts, we have never yet found it a successful proposition to have lawyers speaking for the bosses. In all the years up to now the employers in the milk industry in Chicago had their own direct representatives negotiating with the selected representatives of the Milk Drivers' Union. I cannot for the life of me understand what was the matter with the employers in this controversy. It looked to me as though their actions were such that they either wanted a strike in order to prevent a reduction in the price of milk, or to teach the public a lesson by a shortage of milk, or else they were of the opinion the membership would not respond to the call of the union; in other words, that there would not be anything like the complete tie-up that obtained. If either one of those reasons was the cause of the action of the employers in making such a ridiculous, impossible proposition as an enormous reduction in wages or in delegating all the powers of negotiating to an attorney who was not connected with the milk industry, both acts went haywire, because they both failed.

We know what it means to tie up the milk industry in any large city, and therefore we do everything in our power to prevent strikes. We know that the sympathy of the public goes to the poor people and their babies who need milk, etc. We know that all of the highfalutin agitators that have no children and nothing to do but try to get their names in the paper, go out and denounce, usually, the union men who are on strike. We know that the employers have the advantage of getting their side of the case in the newspapers. For these reasons we avoid a strike as much as possible, but in this case there was nothing for the milk drivers to do except give up their organization or resist. The contract under which they have been working for the past three years expired at 12:00 midnight, April 30. The drivers had been in conference with their employers for several days and were still in conference on the morning of May 1 when the agreement expired. Finally the representatives of the union made a proposition that everything remain as it was; that the men continue to work under the old conditions, and that the questions at issue, or the differences existing, be submitted to arbitration, and that whatever decision the arbitration board made would become retroactive to May 1. Now that seemed like a reasonable proposition; that the status quo obtain (that means that the same conditions continue to prevail); that negotiations continue; and that failing to agree after a certain length of time the entire matter would be submitted to arbitration, and that the decision of the arbitration board would be retroactive to May 1, because it was contemplated that the negotiations and the arbitration proceedings, if they obtained, would last at least thirty days. Could there be anything more fair than this? Sometimes unions are blamed for causing strikes and for refusing honest arbitration. Will the enemies of Labor bear this in mind: that in this case at least—as in hundreds of other cases—the employers refused honest arbitration? What was the answer of the employers to this proposition of arbitration? The following answer was made: "We shall continue negotiations and we shall agree to arbitration, but we shall put the reduction in wages into effect beginning today, May 1, and the difference between the present wage scale, which we are now paying, and the reduction of around eighteen dollars per week which we are demanding, shall be put in escrow until a decision is made." That meant this: that some men would get fifteen dollars, others eighteen dollars, a week reduction, the money or cut would be set aside in some bank or in the hands of the court in escrow, and that

when the arbitration board decided the whole matter, the money would be distributed as per the decision. But it meant that immediately the drivers would have to take each week, pending a settlement, an envelope containing eighteen dollars a week, in most instances, less than the present wage scale. The bosses repeated, "Any man going to work this morning (May 1st) works under our proposition."

On the night of May 1 the drivers were in meeting and they remained in meeting until this proposition was submitted as an ultimatum by the bosses, and when it was reported to the meeting they immediately and unanimously rejected the proposition and decided there and then to cease work, as their wage contract had expired. The stoppage of work became generally prevalent and hundreds of non-union men, such as individual owners and what they call "vendors" (men who buy in bulk and sell anywhere they can for almost any price they can), many of those applied for membership in the union. The union agreed to supply hospitals of every description and institutions of charity, etc., with milk. During the two days' stoppage of work the State Attorney's office reported that there was only one case of assault or violation of the law; and that was where three non-union colored men were peddling milk and they fired some shots and wounded a bystander. At this writing not one member of the nine thousand men on strike was charged with a violation of any law, which is a clean record. In addition to the six thousand members of the Milk Wagon Drivers' Union, there were three thousand members of Local 754, Dairy Employees' Union, also on strike.

At the end of the second day and the third night, at 6:00 in the morning, both sides reached an agreement, which was as follows: That the men return to work immediately under the conditions obtaining in wages and hours that obtained before they went on strike and up to the expiration of the agreement; that negotiations begin between the union and the employers in the hope of bringing about a settlement. If at the end of a certain length of time no settlement can be reached the differences will be referred to arbitration. There were three prominent citizens named and the Milk Drivers obtained the right to select any one of those three men as the final arbiter. The Arbitration Board consists of an equal number from both the employers and the union, and any one of the following three men to act as the odd man: State's Attorney Tom Courtney, Federal Judge Holly, and Federal Judge Otto Kerner of the U. S. Court of Appeals, Northern District of Illinois. The union has the right to select any one of these three men. The employers must accept their choice.

This is the information we have on the settlement up until now. We are hopeful and of the opinion that the union representatives and the employers' representatives will reach an agreement without going to arbitration, because no matter what the arbitration board decides there is usually dissatisfaction. The strike did this: it proved to the employers and to the public that the Milk Drivers' and Dairy Employees' Unions were solid, and well organized, and that the membership were thoroughly law-abiding trade unionists. It also proved to the employers that the public is not deceived, and that a stoppage of work leading towards a demoralization of the industry is not the cure for the ills surrounding the industry. It also did this: it will bring into the union more independents, or individual owners, who are now outside the union. There is also this danger, which the employers are responsible for, and that is that some of the rank and file may believe, as a result of their victory, that they are all-powerful and may take it into their heads to abuse their power, and, because of this false notion of their strength, may not be willing to listen to reason, and by such actions they will injure themselves and the industry. But we repeat, if such a condition obtains there is no one to blame for it except the employers who forced the stoppage of work on the membership of the Milk Drivers' and the Dairy Employees' Unions. An industry that has been built up over a period of fifty years by hard work on the part of the founders of many of these concerns was endangered by a stoppage of work. When you educate people to go to the stores where they can buy milk one cent a quart cheaper, or when you educate people to use condensed milk or other substitutes, the industry is not gaining. Neither are the large employers who pay decent wages helping themselves by throwing the business open to scalpers, or those that destroy prices. But again I repeat, with all the charity I can command for the employers, that they were responsible for the stoppage and they seriously blundered. And I congratulate the membership of Locals 753 and 754 and the committees in charge,

for the manner in which they handled themselves during this controversy. General Organizer Les Goudie participated in the conferences, representing the International Union and the Joint Council of Chicago, and rendered every service he possibly could, as well as keeping the International President informed of all the proceedings.

Let us hope and pray that from this experience, which should have been avoided, we will have obtained a lesson that will be helpful, and it is the hope and desire of the writer that, as it has been fifteen years since there was a stoppage of work and only one stoppage in thirty-three years, that it will be thirty years more before there is another stoppage of work, because after all it must be remembered that Labor and Capital must work together and co-operate with one another for either side to progress.

IN ADDITION to editing this Journal and running the affairs of the International Union, which embraces many duties, including defending the International Union in State and Federal courts when necessary, dealing with lawyers and helping with the preparation of briefs, advising in strikes and in conferences on wage contracts, arguing and defending the jurisdiction of the International Union before the American Federation of Labor and other bodies, it becomes the duty of the President to defend the International Union when it is attacked in public by writers or by those paid for delivering lectures over the radio or in news reels. When written charges are made against the International Union, it is always the head of the International Union on whom the blame is placed. Writers know or name no other officer. Don't think for one minute that you ever get used to or become reconciled to unjust attacks. Don't think that it does not hurt you to have unjust charges made against the reputation of the International Union of which you are the recognized head. Don't think that I do not go home at night sometimes so depressed and irritated by these unjust charges that it seriously affects me. Only a slave or a thoroughly ignorant or calloused individual can get so bereft of honor and decency as not to feel the unjust charges made. You cannot prosecute for those published charges, freedom of the press, etc. Why, sometimes even the members of your family, and certainly your immediate friends, although not asking the question, wonder within themselves if there is any truth in the charges and disgusting insinuations about the International membership. But this is the price one pays for being the President of your International Union. It is part of the job, and that part of defending the International Union today is seriously important, and whoever is chosen head of the International Union in the years to come must have the education and intelligence and the cleanliness of character to be able to stand forth and convince the public of the injustice of such attacks.

It is almost impossible to answer a writer because the press will not publish your answers, and if they do agree to publish your answers they cut them down and they do it in such a way that it brings no beneficial results. To go on the radio and defend your International Union over a national hookup is not only quite expensive, but radio broadcasts are considerably restricted and the censors can cut out any part of your address that they believe slightly violates the rules governing broadcasts, as they interpret the rules. To say nothing against a writer when he makes direct charges, especially if the writer is of national prominence, is almost the same as pleading guilty to the charges, or at least such interpretation is placed on such action by the general public. It is unfortunate and regrettable, therefore, to have in our large membership some very few individuals, of whom we knew nothing when they were admitted to membership. If they are bad actors, smeared with crime, that hurts the general organization and gives opportunity to the extreme columnist who has as his line, "Denunciation of Labor Unions." In other words, a half dozen penny-ante, low-down crooks in a large city can, by their acts, bring the name of the International Union, with its half million members, into ill repute. It is my judgment that the next convention should be positive in its decision to expel from membership, or prevent admission to membership, those who are considered criminals.

If a man is indicted for racketeering, consideration should be given his case at once by the local board, with the right to submit same to the General Executive Board, as to whether or not the individual should be immediately suspended or expelled. If a man is a local officer, a business agent, and is indicted for racketeering, for accepting money

wrongfully, or is charged with stealing the funds of the local union, his services to the local, pending the trial, are useless. He has lost color and influence and he is working under suspicion, and he should be immediately suspended from office. If he is proven not guilty he can be reinstated. I am dealing now with stealing, racketeering, and financial crookedness. I am not referring to a man indicted for the violation of an injunction, or such indictments in which he was defending his union. The whole argument of considering a man innocent until he is proven guilty does not apply where it is the opinion of unprejudiced persons that there are solid grounds for the indictment of racketeering and stealing. Those cases are so extremely rare that we can well afford to take a stand and thereby prevent unscrupulous columnists from having material to point to which hurts and injures the International Organization and brings a blush of shame to the thousands and thousands of decent men and their families. Under no circumstances should men be allowed to have a charter, or run a union, who are not directly employed at the craft when the union is chartered or after it was chartered. As our organization grows in membership it grows in power and importance, but it is also open to greater dangers, because unscrupulous individuals seek and may obtain admission, and through strong-arm tactics, in rare instances, get control. How helpful it would be if the average member would only fully understand that his union is his salvation, it is the institution that protects his wages, and that he should make it his business to keep the wrongdoer out of his union as he would keep him out of his family. Treat such individuals as poisonous, unclean creatures. If this condition of careflessness obtained amongst our people we would have less trouble.

We have in the city of New York close to 50,000 members and about the same number in Greater Chicago, and it is a cruel injustice to those thousands of men to have to suffer because two or three near underworld characters happen to get into the union. You can help, because it is your union, by being more careful in the selection of your local officers and by attending your meetings.

In this issue you will find a letter addressed to a columnist, in defense of the International Union, which is a part of the duties of the General President. To our membership I desire to say that at your next convention unless you change the constitution making it impossible for suspicious characters, underworld individuals, chiseling racketeers, to be even in the most remote minority connected with our organization—I repeat, unless you change your laws it will be impossible for you to continue to hold before the nation the honor and prestige and influence to which we have brought this International Union because of our struggles, our heartaches, our sacrifices and sufferings for the past thirty years. In your last convention you made a substantial step forward, which the government and the people as a whole respect you for; that is, you excluded Communists from membership, even though such individuals may deny the fact that they are Communists. This has gained for you the stamp of approval of American citizenship generally and especially of your government. At this next convention take the step advised above; have the courage and the intelligence to write into your Constitution laws that will prevent those described herein, the unworthy, the unclean, from holding membership in your International Union; because believe me when I say to you, if it could be possible they are a greater menace than the average so-called Communist, insane as his preachings may be to us who believe in our American institutions. Wake up now and act. Don't wait for the other fellow. Help me to hold high in honor and decency our International Brotherhood.

IF YOU get into trouble with the government it is your own fault. After you get into trouble, don't think anyone here can do any fixing to get you out. The first requirement of a citizen, especially a union man, is that you obey the law, live right. Only very few are wrongly imprisoned. It happens rarely. Strange as it may seem, if you receive "hot" money, or crooked money, you are expected to report it on your income tax return. This is where many of the underworld characters get in bad. There is no favoritism in Washington when you get in wrong with the government, or if you are guilty of a premeditated, willful crime. The biggest men in the Democratic Party have been prosecuted by the officials in charge of governmental departments in the present administration. Might I call your attention to the case of Federal Judge Manton of New York;

Tom Pendergast, the biggest man in Kansas City for a number of years, who is now doing a stretch; the Huey Long machine in Louisiana, which delivered the state whenever necessary to the Democratic national organization; and I could go on naming many others. Moe Annenberg, a powerful newspaper owner, would settle at almost any price to quash his case, in our opinion. He is immensely wealthy. There is one thing that no one can do, and that is get the President of the United States, or any of the top-notch members of his official family, to interfere when crookedness and wrongdoing and racketeering are charged. The only way to beat the game is to play the game squarely. If one is guilty of obtaining or receiving crooked money in any way, shape or manner from the Union or the employers, he certainly cannot rest comfortably at the present time, because it is the intention of this administration to continue to ferret out crooks, no matter where they find them. No matter what the next administration may be, whether they are Democratic or Republican, this policy will be pursued to the very end. Sending crooks to prison, especially those connected with Labor Unions, as well as those in the higher brackets or big money, such as have been recently discovered in New York, seems to be in the air. Although conditions may change, it looks at this writing as though Tom Dewey may receive the Republican nomination, with a good chance of winning the presidency. This all came about because he, as most people see it, decided to prosecute wrongdoers. Whoever succeeds Tom Dewey in New York will follow up his method of doing business, and you can rest assured if he is elected President he will follow the prosecution of wrongdoers and racketeers a thousand times more because he will have greater facilities.

I am endeavoring to point out now that if we have within our membership any officer or anyone who is playing a double-handed game, or who is receiving money from any employer, he had better beware. His day of reckoning will certainly come. The government has methods of finding out from many sources of information which we know nothing about. Not long ago I was in the office of the Commissioner of Internal Revenue, in Washington, and in talking with one of the men in charge of the income tax collections I asked him how it was possible for them to pick out one man amongst several in a community and investigate him. His answer was that ninety per cent of the cases that they investigate are usually reported to them from several angles. They get leads; they are tipped off. He said that in many instances men get to drinking and are too free with their tongues, especially to women and girls who are not their wives. He also said that jealousy on the part of wives very often gives them many valuable leads and reports, especially the wife who had been discarded for someone else. He said that employers, who sometimes were friends of certain individuals, when the friendship cooled off, they wanted to get even, and would give information. He said that sometimes someone in the community, understanding the lavishness and expenditures of a certain individual, reported conditions, and an investigation was started; and once the investigators get started looking you up they dig up or find out many things of an incriminating nature for which they were not looking when they started. In the case of Thomas Pendergast the Federal Government agents found out in looking over the reports of somebody else in the city of Chicago that large sums of money had passed into the hands of certain people in Kansas City, and the government eventually found out those persons were directly connected with the Pendergast machine.

Now any persons giving information to the government on income tax are guaranteed protection and secrecy and their names are not divulged. It should also be understood that no one, not even a Senator of the United States, can have access to the inspection of your income tax report without a special order from the President or someone directly acting for the President. However, you can easily understand that the Department of Justice has always, or nearly always, access to the files of all suspected individuals and they can get the required permission. Then we can also understand that a Congressman, or some other influential person, can go to the President and if the facts set forth are deemed important and necessary, the required right to look over the income tax returns of some certain individual will be granted. Recently a national labor official was indicted in New York City. One of the reasons leading up to the indictment was that it was discovered a few months before that he had purchased a rich estate. Suspicion can very easily accumulate until it reaches the office of criminal prosecutors.

Anyone playing the game squarely and honestly has no need to be afraid of either local or national governmental officials. But woe to the man who thinks he can beat the

game and continue his crooked practices. Above and beyond all, remember that the employer who is your friend today may be your enemy next year; and local union officers who accept expensive favors, entertainment, vacations or gifts from employers may get away with it for a short time, but eventually they are breaking the doors down for entrance into prison for themselves and disgrace and humiliation for their families. And once you get inside those bars it isn't easy to get out.

The purpose of this article is to say to our people that governmental authorities everywhere, state and national, are determined to follow up criminals in every walk of life, but they are at this particular time directing their special attention to wrongdoers within the Labor Movement. It is an awful thing for an individual to go home at night to his family and feel that someone has something on him that places his freedom in danger. But there is hope if the individual decides to pluck up courage enough to get rid of such an entanglement and set himself free.

ON THURSDAY evening, May 16th, in the Palmer House at Chicago, a splendid banquet was given by the representatives of the Teamsters' Joint Council of Chicago to Leslie G. Goudie, who is a General Organizer and Vice-President of the International Union. Nearly all of our Local Unions were strongly represented, and the evening was an enjoyable and long-to-be-remembered event. Brother John M. Gillespie and Secretary-Treasurer Thomas L. Hughes represented the International organization. The General President, being detained in Washington with a meeting of the Executive Council of the American Federation of Labor, and further engaged in work with governmental departments with reference to our International, found it utterly impossible to be present but sent a message of congratulation to those who were celebrating the event. Innumerable statements of congratulation were extended to Brother Goudie, the guest of the evening. Considerable credit has been given to Brother Goudie for the work he has done for all Local Unions in the city of Chicago. The Coal Teamsters are especially grateful to him because since they have come back to the International Union, with the help of Brother Goudie, they have built up one of the finest Unions in the country, both numerically and financially. The President of the International Union and the Editor of this Journal is proud and happy to know that one of the International representatives has had his services so keenly and thoroughly appreciated by those whom he has tried to serve in the district in which he works. During the evening Brother Goudie was presented with a platinum watch chain and knife by the membership of the Chicago Teamsters' Joint Council.

May 1, 1940.

Mr. Westbrook Pegler,
c/o World Telegram,
New York, N. Y.

Dear Mr. Pegler:

There appeared an article written by you in the *Boston Traveler* of April 25, 1940, in which you referred to me. I am not so thin skinned that I take offense at material written about me. As I stated to you in my letter of February 23, 1940, I know your job is to write material that will be read by the public. In the article referred to, which was quite lengthy and which dealt in substance with a suggestion that a committee be appointed by Congress to investigate labor unions, etc., there appeared the following statement: (Quote)

"Notwithstanding many cases of outrageous conduct, even by bad criminals, in various communities, by locals and offshoots of the powerful Teamsters' Union, Mr. Tobin, the international president, himself no criminal, to be sure, but, on the contrary, an old-style union fighter, defends his organization from reproach. This seems to mean that his job is too big for him or that he has no disposition to insist on decent conduct." (End quote)

You had to say, of course, that I was no criminal, because I was never charged with any crime in my whole life. I have six children, graduates of college, four of them married, and none of them were ever charged with crime; nor were any of my immediate relatives as far as I can find out. I deserve no credit for this because it was a part of my inheritance and training from religious parents.

Our membership at least does not agree with you in your suggestion that the job is too big for me. It might be interesting to you to know that I accepted this position in the city of Boston for a term of one year, fully determined not to stand for re-election. That was in August, 1907. But conditions and pressure surrounding the Labor Movement and this International Union have practically compelled me to continue in the office. It might interest you to know that I have never had any person in our organization run against me for this office. It may also interest you to know that there was a resolution adopted unanimously by our last convention, which stated that if I was sick or incapacitated, that I should be continued with the same salary and any other conditions which I now enjoy.

The regular convention of the International Brotherhood of Teamsters and Chauffeurs will be held in September of this year in Constitution Hall, Washington, D. C. There will be perhaps eighteen hundred delegates there, representing about 440,000 paid-up members. As it appears to me now, there is no one desirous of being a candidate against me if I intend to run for the office of President. In order to prove to you that there is no gag rule and no threats or anything of the kind, I invite you to come to that convention, and I will guarantee you a courteous reception; and I will prove to you that every man representing his local union is a free agent. Might I say to you that this convention hall in Washington is owned by the Daughters of the American Revolution, and when our application was submitted to them they were unanimous in their decision to lease the hall to us for the time of our convention. I am sure it would do you a lot of good to understand our people and to witness for yourself the manner in which the business of the convention is conducted. I repeat, I guarantee you a respectful hearing and I know that there will be many men of prominence in the nation present, men representing political, religious and economic views, views which our people do not agree with in many instances, but courtesy and respect will be extended to them and guaranteed.

I am enclosing a copy of our monthly magazine which is just off the press and which I edit as a part of my duties. I have done so for the past thirty-three years. I call your attention to the article on page 12 and also the article on page 8 dealing with the radio program, "Gang Busters." Try and understand from this that we are just as anxious as you are or as any citizen in our country is, to have our membership composed of men of character, cleanliness and honesty. If a criminal goes to your church you can do nothing about it. He is welcomed to the church. There is no doubt whatever but that men creep into our organization, as I explained in this article, that we know nothing about, but first let me call to your attention that the employers hire these men and they are working at our craft. Otherwise they are not entitled to membership. They must be engaged at our employment, or if they are disengaged they must be aligned with our kind of work and seeking employment. In other words, they must be truck drivers or helpers coming under our jurisdiction. Out of a total membership on our books of close to 500,000, per capita tax for the month of March received on 435,000, won't you agree that it is difficult for the International Union to investigate the private and public life of every individual? If local union officers make a mistake and hide from us some of the facts by admitting undesirables, we have and do call for an accounting of the individual officers.

When I accepted this position I might state to you that we had dissension in every section of the country, with only 28,000 members and a bankrupt organization. I now call to your attention the present membership. Not one dollar of any kind of the International's money was lost in any bond or any other investment during the financial panic. I might also state for your benefit that the laws of our International Union will be substantially strengthened at our next convention, to prevent undesirable individuals from coming in or holding membership in our organization.

Wouldn't it be well for you to refer sometimes to the good things that have been done by the Union? For instance, when I drove a three-horse truck in Boston sixty-six hours a week for eleven dollars, and endeavored to bring up a family, I was almost on the

verge of slavery. I had to go to the stable on Sunday morning before I went to church and spend two or three hours cleaning horses and harness or greasing the truck, for which I received nothing. Today our members work an average of forty-eight hours a week and their wages run from thirty-five to forty dollars a week, more in some places. Or you might refer to the fact that some of our unions have paid out hundreds of thousands of dollars to individuals who lost their employment, trying to help them and their families. Then we have unions that pay sick benefits. One union in Chicago, the Milk Wagon Drivers, has paid in some years one hundred thousand dollars in sick, death and other benefits. That local union pays one thousand dollars death benefit and twenty dollars per week sick benefits. And as you worked in Chicago many years ago, you know what the conditions were in that city for teamsters.

I might call to your attention one instance in our country where an individual who had charge of the finances of our local union plead guilty to misappropriation of funds; I threatened to revoke the charter of the local union, and the judge who sentenced the individual appealed to me not to do so.

Might I also call to your attention the fact that there are certain classes in New York that are not in our organization; that I refused, even on the request of the Mayor of New York City and General Johnson during the NRA, to admit them to membership because I felt that those who controlled them were not the kind of men to be in our Labor Movement, although the rank and file might have been all right; and they are not now in our organization but are a part of the CIO. The rank and file could not get rid of those individuals.

There are so many acts of ours protecting our membership and the public, as well as our employers, that they are too numerous to mention.

I am enclosing a clipping from the *Chicago Tribune* of April 28, 1940, which gives a small account of the struggle we had to get rid of racketeers in one local union. The reporter did not have the real facts in the case, because I appointed L. G. Goudie as Receiver over the Coal Teamsters and other unions. Goudie is a General Organizer working under my directions. You could also find out in Chicago that when gunmen and racketeers tried to take over other unions of ours, some of our local officers were killed and others had to barricade themselves behind steel walls for months, with bodyguards to protect them from the gunmen and racketeers who were endeavoring to take over our union. All of these statements can be verified through the State Attorney's office.

I would be happy indeed if sometime in your travels you would drop off in Indianapolis, at our expense if necessary, and look over the workings of our organization. Our books, including our receipts and expenses, are open to your inspection and any question that you ask I assure you will be answered, and all information that you desire will be at your disposal.

The two specific requests that I make are: First, that you visit our International Headquarters and look over our affairs, having access to our financial or any other statements; and second, that you come to our convention in September in Washington, D. C.

Sincerely yours,

(S) DANIEL J. TOBIN,
General President.

DJT.GMC

P. S.—You might also be interested in knowing that at one time this International Union threw out of membership 15,000 members in Chicago, who afterwards formed a dual union called the Chicago Teamsters; and we refused to admit them back to membership until they agreed to get rid of their tainted characters and on condition that the State's Attorney, Thomas Courtney, of Chicago, would approve the officers of the unions desirous of reaffiliation.

It may also interest you to know that at one time in the city of New York, in January, 1909, while I was attending a meeting and ordering bad actors out of the union who were in control, I was brutally beaten up by this mob for defending the union. After several weeks in Massachusetts General Hospital I recovered and we were eventually successful in cleaning those individuals out of our union.

Look us up; we will give you all the records on many more instances, and we will continue all our efforts to keep our unions free of wrongdoers in the future as we have in the past.—D. J. T.

THE thing I cannot understand is that every nation Germany overruns—Poland, Norway, Czechoslovakia—all of them seem to be in starvation, and we have committees set up in our country asking for aid and relief and help in many ways for the starving, down-trodden inhabitants. If the war is ended, are not the people going back to work in those countries? What are they doing, just producing foodstuffs for the German army? What assurance have we that any relief we give will be distributed amongst the suffering people in those countries, even though Germany gives us such assurance? In addition to legitimate committees engaging in this work there are a number of those that are not legitimate, soliciting aid. It would be well for our people to inquire before contributing.

THE Constitution now is very positive that local secretaries keep the names of their membership up to date with the Editor of the Journal. The Constitution even goes so far as to state that locals failing to do this will not be entitled to benefits should they get into any trouble. Therefore, a secretary who refuses to send in the names of the deceased members, those leaving the organization, or those in bad standing—over three months in arrears—such secretary involves the safety of his union by his negligence. In addition to this, by such negligence the secretary causes an enormous, unnecessary, unlawful expense to the International Union. We have found cases where members were dead for over two years and the Journal was still being sent month after month to their homes, because the secretary never notified us to take from the mailing list the name of the deceased member. For this action alone the secretary could be suspended from office if the General Executive Board insisted on enforcing the laws. There are other instances where members have moved and the Journal goes to the former address, and the postoffice authorities bring it back here again and charge us two cents for each copy they return. There is the cost of printing the Journal and sending it to this member, and the cost of returning it, and when there are hundreds of such instances it runs into big money. It would be so easy for a secretary to compel all members to bring in their names and addresses once a year if there was any change in their address; also to leave a pad on his desk and when a member changes his address, or dies, or leaves the employment by taking a withdrawal card, mark same on the pad on his desk, and then each month send those corrections to the General Office. If secretaries who fail to do this were fined for the first offense one hundred dollars and suspended after the third offense, where we had positive proof that showed negligence, we would very soon have this willful negligence and carelessness eliminated. It would not take five minutes each day of a secretary's time to keep those lists up to date, and it would save us enormous trouble and considerable expense, in addition to complying with the Constitution.

Official Magazine of the
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of TEAMSTERS, CHAUFFEURS
STABLEMEN and HELPERS
of America**

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